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The Honorable Jocelyn G. Boyd
Chief Clerk and Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: 2021-321-T. Generic Docket to Study the Office of Regulatory Staff's September 24, 2021 Proposal and Information Necessary in Audit Reports or Impact Statements Concerning Such Class E Licensees

Dear Ms. Boyd:

I write in response to the Office of Regulatory Staff's letter filed in this docket today. I agree that the South Carolina Tariff Bureau's do not provide a meaningful basis for the Commission to determine whether a household goods mover's rates are reasonable. Also, the reasonableness of a proposed tariff should be determined by its clarity, not by the amount the carrier proposes to charge. The household goods movers' market is highly competitive, and the public benefits from price competition. If a carrier's rates are too high, customers will turn to a competitor. For the same reason, I encourage the Commission to allow movers flexibility in their rates, so they may offer fixed price quotes or discounts to win a particular job and timely respond to market conditions.¹

Thank you for the opportunity to comment on this issue.

With best wishes, I am,

Sincerely yours,

s/ Charlie Terreni

Charles L.A. Terreni

c: Counsel of record

¹ Furthermore, rate regulation of household goods movers, who are not assigned monopolies in exclusive service territories is constitutionally suspect. The government must have a rational state interest to regulate prices. The United States Supreme Court and the South Carolina Supreme Court have ruled that regulations restricting competition in open markets are unconstitutional. *Retail Servs. & Sys. v. S.C. Dep't of Revenue*, *supra*; *New State Ice Co. v. Liebmann*, 285 U.S. 262, 52 S. Ct. 371 (1932). One would be hard pressed to identify a competitive market with retail price regulation in South Carolina. See e.g. *Gwynette v. Myers*, 237 S.C. 17, 115 S.E.2d 673 (1960) (invalidating regulation of milk prices).